

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KIM DOSSIE, individually & as m/n/g of J. [REDACTED]
D. [REDACTED] an infant, & DOMINIQUE DOSSIE;

Plaintiff,

-against-

THE CITY OF NEW YORK, POLICE OFFICER
DANIEL LOUIS, TAX ID # 933948000, POLICE
OFFICER LUK, POLICE OFFICER VANZANTEN,
and POLICE OFFICER HOGAN,

Defendants.

STIPULATION AND
ORDER OF
SETTLEMENT AND
DISMISSAL

05 Civ. 5112 (BSJ)(RLE)

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/2/05 dc

WHEREAS, plaintiffs commenced this action by filing a complaint on or about June 20, 2005, alleging that defendants violated plaintiffs' federal civil rights and state common law rights; and

WHEREAS, defendants have denied any and all liability arising out of plaintiffs' allegations; and

WHEREAS, the parties desire to resolve the issues raised in this litigation, without further proceedings and without admitting any fault or liability; and

WHEREAS, the Court has endorsed the Infant Compromise Order on November 8, 2005; and

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows:

1. The above-referenced action is hereby dismissed, with prejudice, and without costs, expenses, or fees in excess of the amount specified in paragraph "2" below.

2. Defendant City of New York hereby agrees to pay plaintiffs Kim Dossie, Dominique Dossie, and [REDACTED] by his mother and natural guardian Kim Dossie, the sum of

Forty Thousand (\$40,000.00) Dollars in accordance with the Infant Confidentiality Order signed by the Court, in full satisfaction of all of plaintiffs' claims, including claims for costs, expenses and attorney fees. In consideration for the payment of this sum, plaintiffs Kim Dossie, Dominique Dossie, and [REDACTED], by his mother and natural guardian Kim Dossie, agree to dismissal of all the claims against the individually named defendants and to release all defendants, any present or former employees and agents of the City of New York, and the City of New York or any agency thereof from any and all liability, claims, or rights of action arising from and contained in the complaint in this action, including claims for costs, expenses and attorney fees.

3. Plaintiffs shall execute and deliver to defendants' attorney all documents necessary to effect this settlement, including, without limitation, a General Release based on the terms of paragraph 2 above and Affidavits of No Liens.

4. Nothing contained herein shall be deemed to be an admission by any of the defendants that they have in any manner or way violated plaintiffs' rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

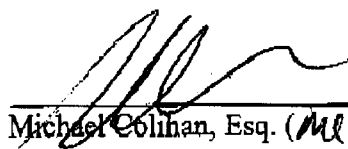
5. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York or any agency thereof.

6. This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: New York, New York
November 28, 2005

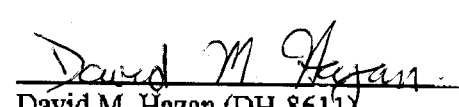
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By:

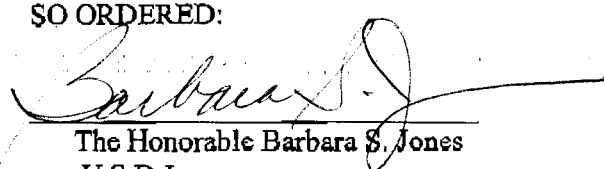

Michael Colihan, Esq. (MT 0876)

MICHAEL A. CARDOZO
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York
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(212) 788-8084

By:


David M. Hazan (DH-8611)
Assistant Corporation Counsel

SO ORDERED:


The Honorable Barbara S. Jones
U.S.D.J.

Dated: 12/2/05